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Date of Deposit: December 19, 2005

Attorney Docket No. 22058-554

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Lyons et al.  
SERIAL NUMBER : 10/005,228 EXAMINER : Maria Marvich  
FILING DATE : December 3, 2001 ART UNIT : 1636  
FOR: METHOD AND COMPOSITION FOR MODULATING BONE GROWTH

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

Applicants appeal to the Board of Patent Appeals and Interferences from the Examiner's June 17, 2005 Office Action finally rejecting claims 1-27 and 32 in the above-identified application. A check in the amount of \$500.00 for filing this Notice of Appeal is enclosed as required by 37 CFR § 1.17(b).

Applicants file herewith a petition for a three (3) month extension of time for extending the time for responding to the Office Action. With the extension, the Notice of Appeal is due on or before December 19, 2005, as December 17, 2005 fell on a Saturday.

The Commissioner is authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference 22058-554. A duplicate copy of this Notice is enclosed.

Dated: December 19, 2005

Respectfully submitted,

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